

UNITED STATES DISTRICT COURT
FOR THE
8TH DISTRICT

PATRICK F. LEMMERS and
LORETTA A. LEMMERS,

Plaintiffs,

vs.

THE VILLAGE OF SOUTH BEND,
A Corporate
Body Politic,

Defendant.

COMPLAINT

1. The Plaintiffs bring this action pursuant to 42 U.S.C. §§ 1983 and 1988 alleging that the Defendant violated the Plaintiff's Fourteenth Amendment right to equal protection.

2. At all times hereinafter mentioned, the Defendant, Village of South Bend is and was a Village incorporated under the laws of the State of Nebraska and as per Neb. Rev. Stat. § 17-201 ("South Bend").

3. South Bend has adopted certain zoning regulations ("Zoning Regulations"), see attached Exhibit "A".

4. The Plaintiffs, Patrick F. Lemmers and Loretta A. Lemmers, are the owners of the property located at 32302 West Lake Park Drive, South Bend, Nebraska, and ("Property"). The property is within the Village zoning jurisdiction.

5. On or about June 24, 2016, Plaintiffs applied for a variance with South Bend from the Setbacks to construct a garage on the Property. The variance requested relief from the setbacks of twenty-five feet (25') Variance").

6. On June 24, 2016, South Bend denied Plaintiffs' application for a Variance.

7. At various times the Plaintiffs or their representatives provided to South Bend information that other similarly situated properties in South Bend's zoning jurisdiction where either granted Variances for the same construction as Plaintiffs' and/or where allowed to construct within the Setbacks with knowledge and acquiescence by South Bend.

8. On March 20, 2018, Plaintiffs' counsel delivered to South Bend that certain letter, with enclosures. Attached hereto as Exhibit B and incorporated herein by this reference.

9. The contents of Exhibit B provided South Bend with documentary and photographic information concerning the similarly situated properties that have been granted

Variances and/or have been allowed to construct within the Setbacks with the knowledge and acquiescence of South Bend.

10. South Bend has failed to respond to the requests of the Plaintiffs as set forth in Exhibit A and at the hearing on Plaintiffs' Variance and continues to enforce the Setbacks against the Plaintiffs while permitting the same activity to continue despite the specific information provided to South Bend.

FIRST CAUSE OF ACTION

VIOLATIONS OF RIGHTS SECURED BY THE EQUAL PROTECTION CLAUSE OF THE FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION

11. Plaintiffs incorporate Paragraphs 1-11 as if fully set forth herein.

12. South Bend violated Plaintiffs' Fourteenth Amendment rights under the United States Constitution to equal protection in that, compared with others similarly situated, the Plaintiffs were selectively treated and South Bend selectively enforced the requirements of South Bend's zoning regulations and Setbacks against the Plaintiffs but not against other similarly situated properties.

13. There is no objectively reasonable basis for South Bend to have treated the property owners referred to in Exhibit A, along with others that exist, more favorably by not enforcing the zoning regulations regarding the Setbacks while enforcing the same regulations and Setbacks only against the Plaintiffs and said lack of enforcement against similarly situated properties is devoid of any legitimate government policy. Such disparate and different treatment is and was without any rational basis whatsoever and violates the Plaintiffs' right to equal protection under the Fourteenth Amendment to the United States Constitution.

WHEREFORE, Plaintiffs pray as follows:

- A. For a determination that Defendant South Bend's actions deprived Plaintiffs of their constitutional rights of equal protection of law in violation of 42 U.S.C. § 1983 and for an award of attorneys fees in consequence thereof.

SECOND CAUSE OF ACTION

VIOLATIONS OF RIGHTS SECURED BY THE EQUAL PROTECTION CLAUSE OF ARTICLE I SECTION 3 OF THE CONSTITUTION OF THE STATE OF NEBRASKA

14. Plaintiffs incorporate Paragraphs 1-14 as if fully set forth herein.

15. South Bend violated Plaintiffs' rights under the Constitution of the State of Nebraska, Article I, Section 3, specifically Plaintiffs' rights to equal protection under the laws. in that, compared with others similarly situated, the Plaintiffs were selectively treated and South Bend selectively enforced the requirements of South Bend's zoning regulations and Setbacks against the Plaintiffs but not against other similarly situated properties.

16. There is no objectively reasonable basis for South Bend to have treated the property owners referred to in Exhibit A, along with others that exist, more favorably by not enforcing the zoning regulations regarding the Setbacks while enforcing the same regulations and Setbacks only against the Plaintiffs and said lack of enforcement against similarly situated properties is devoid of any legitimate government policy. Such disparate and different treatment is and was without any rational basis whatsoever and violates the Plaintiffs' right to equal protection under Article I, Section 3, of the Constitution of the State of Nebraska.

WHEREFORE, Plaintiffs pray as follows:

- A. For a determination that Defendant South Bend's actions deprived Plaintiffs of their constitutional rights of equal protection of law pursuant to Article I Section 3 of the Constitution of the State of Nebraska and for an award of attorney's fees in consequence thereof.

DATED this 15th day of May, 2018.

PATRICK L. LEMMERS and LORETTA A.
LEMMERS, Plaintiffs

By: 

Andrew W. Simpson, #22973
Farnham, Simpson & Griffin, P.C. L.L.O.
220 N. 89th Street, Suite 201
Omaha, Nebraska 68114
(402) 393-2555
andy@farnhamandsimpsonlaw.com
Attorneys for Plaintiff

Section 5.06 R-1 Lake Side Residential District.

- A. Intent. The Lake Side Residential District is intended to provide for residential and compatible uses while maintaining the character around lake front development.
- B. Permitted Principal Uses:
1. Single family dwellings.
- C. Permitted Conditional Uses:
1. Churches, temples, seminaries, and convents, including residences for pastors and teachers.
 2. Private recreation areas and facilities, including lakes, ponds, country clubs, golf courses, and swimming pools.
 3. Overhead and underground utility main transmission lines including but not limited to power, telephone, gas, fuel, or fertilizer lines, substations, terminal facilities, and reservoirs.
 4. Home Occupations.
- D. Permitted Accessory Uses:
1. Accessory uses and structures normally appurtenant to the permitted uses and structures and to uses and structures permitted as special uses.
 2. Private swimming pools, tennis courts, and other recreational facilities in conjunction with a residence.
 3. Temporary building(s) or structure(s) incidental to construction work may exist on said lot no longer than sixty (60) days from date of expiration of building permit.
 4. No accessory building shall exceed the ground floor coverage of the principal dwelling.
 5. Signs as provided for in Article 7.
 6. Parking as provided for in Article 7.
 7. Additional regulations as provided for in Section 4.12.
- E. Height and Lot Requirements:
1. The height and minimum lot requirements shall be as follows:

	<u>Lot Area</u> <u>Sq. Ft.</u>	<u>Lot</u> <u>Width</u>	<u>Front**</u> <u>Yard</u>	<u>Side</u> <u>Yard</u>	<u>Rear</u> <u>Yard</u>	<u>Maximum</u> <u>Height</u>	<u>Maximum</u> <u>Lot</u> <u>Coverage</u>
Dwelling							
Single Family	9,000	66'	35'	10'	25'	2 ½ Stories	20%
Other Permitted Uses	9,000	66'	25'	10'	25'	65'	20%
Accessory Buildings	---	---	50'	5'	3'	15'	10%*

LAW OFFICE
FARNHAM, SIMPSON & GRIFFIN, P.C., L.L.O.
220 NORTH 89TH STREET, SUITE 201
OMAHA, NEBRASKA 68114
TELEPHONE (402) 393-2555
FACSIMILE (402) 393-2909



COPY

JEFFREY B. FARNHAM
DIRECT (402) 934-5577
jbf@farnhamandsimpsonlaw.com

ANDREW W. SIMPSON
DIRECT (402) 934-5575
andy@farnhamandsimpsonlaw.com

ANDREA M. GRIFFIN†
DIRECT (402) 934-5588
andrea@farnhamandsimpsonlaw.com
†ALSO ADMITTED IN IOWA

March 20, 2018

Deb Cunningham
Village Chairperson
104 Nebraska St.
South Bend, NE 68058

RE: 32302 W. Lake Park Dr., South Bend, NE ("Property")

Dear Ms. Cunningham:

As you are aware, this office represents Pat Lemmers owner of the above-referenced Property. I understand that our client has been before your Board requesting a setback variance to construct a garage located on his Property. By way of this letter, we are requesting a complete copy of your file related to the Property and you denial of any variance requested on the same. Your response should include but not be limited to; any and all Board resolutions, votes, decisions and justification/reasoning for denying the variance requested. Your response shall also include copies of your zoning code/regulations providing for setbacks relating to this Property and as used in your denial of my client's variance application.

Furthermore, this correspondence is to put you on notice that we are aware of numerous other instances of similarly situated property owners that have recently constructed improvements in your jurisdiction that have either been granted variances and/or have been allowed to construct said improvements within the alleged setback. Those properties are as follows:

- 32018 E. Lake Park Dr.
- 32609 E. Lake Park Dr.
- 16517 Lake Park Point.
- 16516 Lake Park Dr.

Attached are copies of your files pertaining to the above-referenced properties evidencing the lack of any issued variance(s) as well as pictures showing the location of the improvements within the setbacks.

In light of these similar situated properties being allowed to build within the alleged setbacks. It is clear that you are not, and have not treated my client equally under the law. We are demanding you respond to my office with your detailed explanation as it relates to my client's assertions made herein and you proposed resolution of this violation of my client's rights.

EXHIBIT "B"

Deb Cunningham

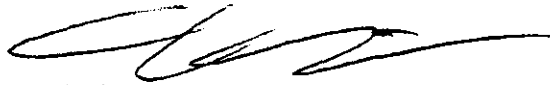
March 20, 2017

Page 2

If we do not have a response to this request by April 6, 2018, my client has authorized my firm to vigorously proceed by any and all means necessary under the law to protect his constitutional right to equal protection under the law including but not limited to seeking punitive damages against the Township of South Bend as a result of said discrimination in Federal Court.

Please govern yourself accordingly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew W. Simpson', with a long horizontal flourish extending to the right.

Andrew W. Simpson

Enclosures

Cc: Michael Jensen, Cass County Zoning Administrator

**APPLICATION - PERMIT
BUILDING - PLUMBING - MECHANICAL
CASS COUNTY DEPARTMENT OF ZONING
13860 12th St. Plattsmouth NE 68048;
Michael Jensen; Cass Co Zoning Administrator
Phone (402)-296-9359 Fax (402) 296-0604**

SOUTH BEND PERMIT NUMBER: 88

APPLICANT: CURT HOFER CONSTRUCTION

ADDRESS: 32018 EAST LAKE PARK DRIVE SOUTH BEND NE 68058

TELEPHONE: (402) 758-0440

VALUE: \$129,614.00 **HEIGHT:** FT **ZONING:** R: RESIDENTIAL

LEGAL: NORTH LAKE LOT 67 & 68

USE: ADDITION

NOTE: The applicant agrees to allow county employees to enter the proposed structures or property for the purpose of inspections. The applicant is aware that Cass County will occasionally video tape during this inspection process and has no objection to this action.

CERTIFICATION: I hereby certify that I am applying for this permit, realizing that I must keep the property to such standards as will safeguard public health, safety, and the general welfare. I further certify that to the best of my knowledge, the information given herein and on the attached drawings, is accurate. It is understood and agreed that any error, mistake or misrepresentation, either with or without intent on my part, such as might, if known, cause refusal of this application, or any alteration or change without the approval of the Enforcement Officer shall constitute sufficient grounds for revocation of such permit

Storage containers, limited to two (2), may be allowed during the construction phase of a residence or business but must be removed thirty days after final inspection and Certificate of Occupancy is issued. Failure to do so is a Class III misdemeanor and is punishable by a fine of up to \$100 per day with each day being considered a separate offense.

APPROVAL: The application, as stated above and on the plans hereto attached, is hereby approved based on all information provided. The approval given is subject to all Federal, State and Local laws, and to any filed restrictions.

REQUIREMENTS: All construction and materials must meet the requirements of the International Building Code and the National Electric Code. A porta potty must be on the jobsite when construction begins and must remain on the site until end of construction. Silt fence and erosion controls are required during construction.

This permit is valid for a period of two years from issuance so long as work continues at a regular pace. A new permit must be issued if work has not commenced within 180 days of issuance, or if there is a work stoppage for a period of 180 days. All building permit fees are non refundable.

INSPECTIONS ARE REQUIRED AS FOLLOWS: Footing inspections are required after the trenches have been prepared and prior to placement of concrete. Foundation inspections prior to pouring. Groundwork inspections prior to covering any plumbing below grade with sand, gravel or soft dirt. Framing inspection is required after all rough in mechanical, electrical and plumbing are in place and prior to insulation. Insulation inspection is required after rough-in. Septic inspection is required upon completion of the structure. A final inspection is required before a certificate of occupancy will be issued.

APPLICANT:

TOTAL FEE **\$1,043.25**

Michael Jensen; Cass Co Zoning Administrator

24 HOUR NOTICE REQUIRED TO SCHEDULE INSPECTIONS

A \$40.00 reinspection fee will be assessed

Inspection made Monday through Friday, excluding holidays, 8:30 A.M. to 3:30 P.M.
Call Cass County Zoning to schedule your inspection



CASS COUNTY DEPT OF ZONING AND INSPECTIONS

13860 12TH ST

PLATTSMOUTH, NE 68048

Phone (402) 296-9359 ~ Fax (402) 296-0604

Email ~ zoning@cassne.org

Permit 88 South Bend

Curt Hofer Construction

Addition- 32018 East Lake Park Dr

Inspection report

10-11-2007	Footing	passed
1-22-2008	Rough In	passed
1-25-2008	Insulation	passed
6-8-2008	Final	passed

Michael Jensen, CFM
Cass County Zoning Administrator



CASS COUNTY DEPT OF ZONING AND INSPECTIONS
13860 12TH ST
PLATTSMOUTH, NE 68048

Phone (402) 296-9359 ~ Fax (402) 296-0604
Email ~ zoning@cassne.org

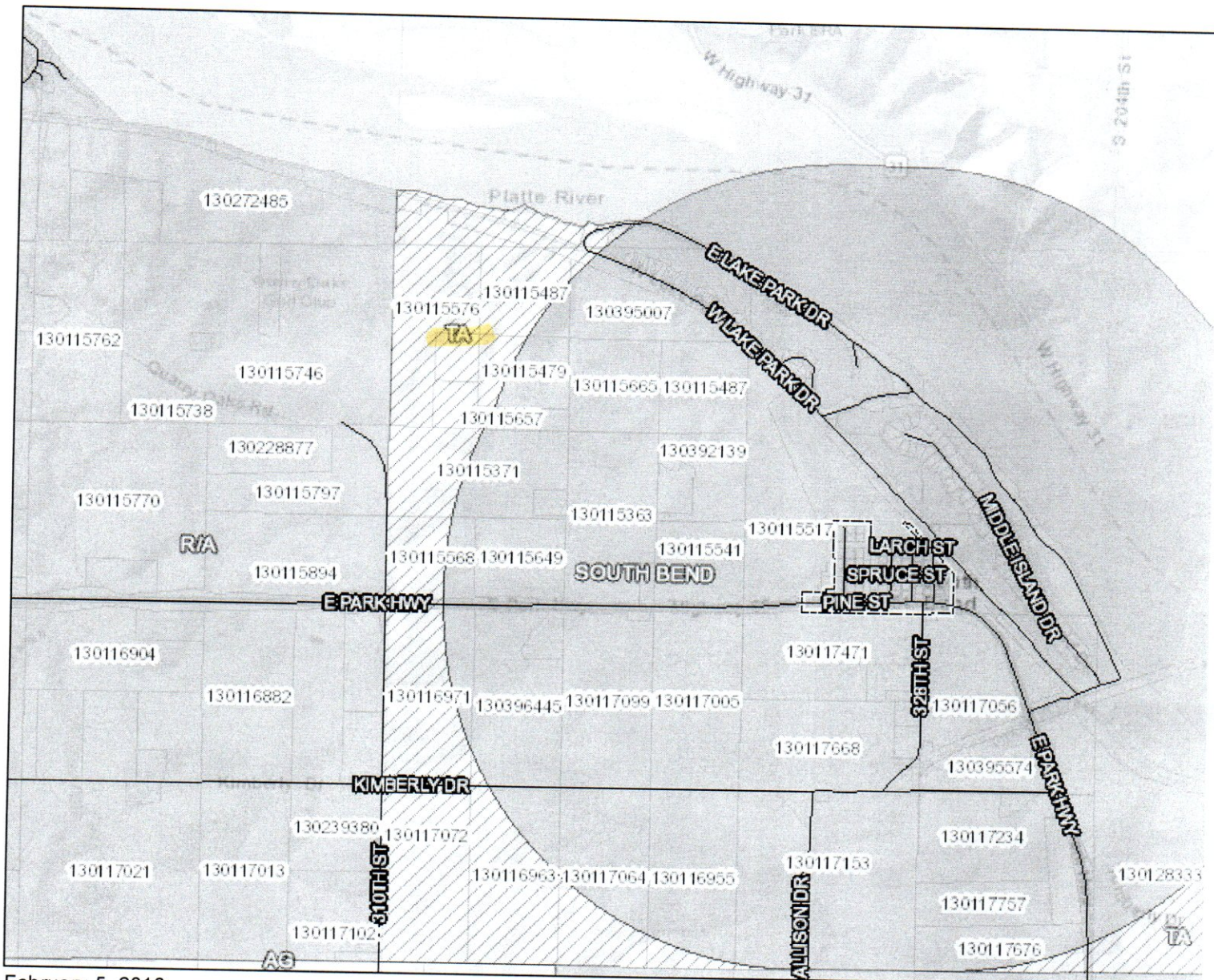
Permit 88 South Bend

Curt Hofer Construction
Addition- 32018 East Lake Park Dr

Inspection report

10-11-2007	Footing	passed
1-22-2008	Rough In	passed
1-25-2008	Insulation	passed
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Michael Jensen, CFM
Cass County Zoning Administrator



February 5, 2018
15:31 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis and should not be relied upon for making financial, survey, legal or other commitments.

— Roads

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Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap

**APPLICATION - PERMIT
BUILDING - PLUMBING - MECHANICAL
CASS COUNTY DEPARTMENT OF ZONING
13860 12th St. Plattsmouth NE 68048;
Michael Jensen; Cass Co Zoning Administrator
Phone (402)-296-9359 Fax (402) 296-0604**

SOUTH BEND PERMIT NUMBER: 137

APPLICANT: ROD PENNER

ADDRESS: 32108 WEST PARK DR SOUTH BEND NE 68058

TELEPHONE: (402) 521-0042

VALUE: \$16,380.00

HEIGHT: FT

ZONING: TA: TRANSITIONAL AGRICULTURAL

LEGAL: NORTH LAKE LOT 38

USE: GARAGE ADDITION AND CARPORT

NOTE: The applicant agrees to allow county employees to enter the proposed structures or property for the purpose of inspections. The applicant is aware that Cass County will occasionally video tape during this inspection process and has no objection to this action.

CERTIFICATION: I hereby certify that I am applying for this permit, realizing that I must keep the property to such standards as will safeguard public health, safety, and the general welfare. I further certify that to the best of my knowledge, the information given herein and on the attached drawings, is accurate. It is understood and agreed that any error, mistake or misrepresentation, either with or without intent on my part, such as might, if known, cause refusal of this application, or any alteration or change without the approval of the Enforcement Officer shall constitute sufficient grounds for revocation of such permit

Storage containers, limited to two (2), may be allowed during the construction phase of a residence or business but must be removed thirty days after final inspection and Certificate of Occupancy is issued. Failure to do so is a Class III misdemeanor and is punishable by a fine of up to \$100 per day with each day being considered a separate offense.

APPROVAL: The application, as stated above and on the plans hereto attached, is hereby approved based on all information provided. The approval given is subject to all Federal, State and Local laws, and to any filed restrictions.

REQUIREMENTS: All construction and materials must meet the requirements of the International Building Code and the National Electric Code. A porta potty must be on the jobsite when construction begins and must remain on the site until end of construction.

This permit is valid for a period of two years from issuance so long as work continues at a regular pace. A new permit must be issued if work has not commenced within 180 days of issuance, or if there is a work stoppage for a period of 180 days. All building permit fees are non refundable.

INSPECTIONS ARE REQUIRED AS FOLLOWS: Footing inspections are required after the trenches have been prepared and prior to placement of concrete. Foundation inspections prior to pouring. Groundwork inspections prior to covering any plumbing below grade with sand, gravel or soft dirt. Framing inspection is required after all rough in mechanical, electrical and plumbing are in place and prior to insulation. Insulation inspection is required after rough-in. Septic inspection is required upon completion of the structure. A final inspection is required before a certificate of occupancy will be issued.

APPLICANT:

TOTAL FEE

\$243.93

DATE

5/9/17

Michael Jensen; Cass Co Zoning Administrator

24 HOUR NOTICE REQUIRED TO SCHEDULE INSPECTIONS

A \$40.00 reinspection fee will be assessed

Inspection made Monday through Friday, excluding holidays, 8:30 A.M. to 3:30 P.M.
Call Cass County Zoning to schedule your inspection

VILLAGE OF SOUTH BEND
P.O. BOX 68, SOUTH BEND, NE 68058
Clerk's Phone (402)944-2349

BUILDING PERMIT APPLICATION (ELECTRICAL/PLUMBING/MECHANICAL)

APPLICATION DATE: 5-3-17
 OWNER: Red & Sue Penner
 MAILING ADDRESS: 32105 WEST LAKE AARON DRIVE
 CITY/STATE/ZIP: SOUTH BEND NE 68058
 TELEPHONE: 402-944-3581

PURPOSE OF APPLICATION: _____
 BUILDING X ELECTRICAL _____ PLUMBING _____ MECHANICAL _____

ADDRESS OF BUILDING SITE: Same

LOT NUMBER/LEGAL DESCRIPTION: Lot # 35

ZONING: _____ LOT SIZE: _____

RESIDENTIAL STRUCTURE _____ NON-RESIDENTIAL STRUCTURE X

TYPE OF STRUCTURE/BUILDING (INDICATE ONE ONLY PER PERMIT)

PORCH _____ DECK _____ HOME _____ PATIO _____
 GARAGE X GAZEBO _____ FENCE _____ TOOL SHED _____
 POLE SHED _____ BASEMENT _____ SIDEWALK _____
 OTHER (DESCRIBE) _____

INDICATE THE FOLLOWING IN RELATION TO TYPE OF STRUCTURE:

NEW CONSTRUCTION _____ ADDITION X SLAB FOUNDATION _____
 CRAWL SPACE _____ BASEMENT _____ MOBILE HOME _____
 STORAGE _____ OTHER _____ REPLACEMENT _____

INDICATE TYPE OF CONSTRUCTION (IN RELATION TO TYPE OF STRUCTURE)

WALKOUT _____ SINGLE RESIDENCE _____ DUPLEX _____ MULTI UNIT _____
 SHED _____ HIGH RISE _____ RANCH _____ SPLIT ENTRY _____
 INDUSTRIAL _____ COMMERCIAL _____

STRUCTURE: WIDTH 26' LENGTH 25' HEIGHT 8'
 SQUARE FOOTAGE 650 sq ft # OF STORIES 2

TYPE OF CONSTRUCTION MATERIAL (INDICATE IN RELATION TO STRUCTURE)

BRICK _____ WOOD FRAME X BLOCK _____ POURED WALLS _____
 SIDING vinyl ROOFING Asphalt Shingles

FRONT YARD SETBACK 34' SIDEYARD SETBACK 5'

DISTANCE FROM REAR LOT LINE: N/A

DISTANCE FROM CENTER OF ALLEY: N/A

SEWAGE DISPOSAL (DEPT. OF HEALTH REGULATIONS) N/A

COST OF CONSTRUCTION FOR BUILDING PERMIT APPLICATION: \$ _____

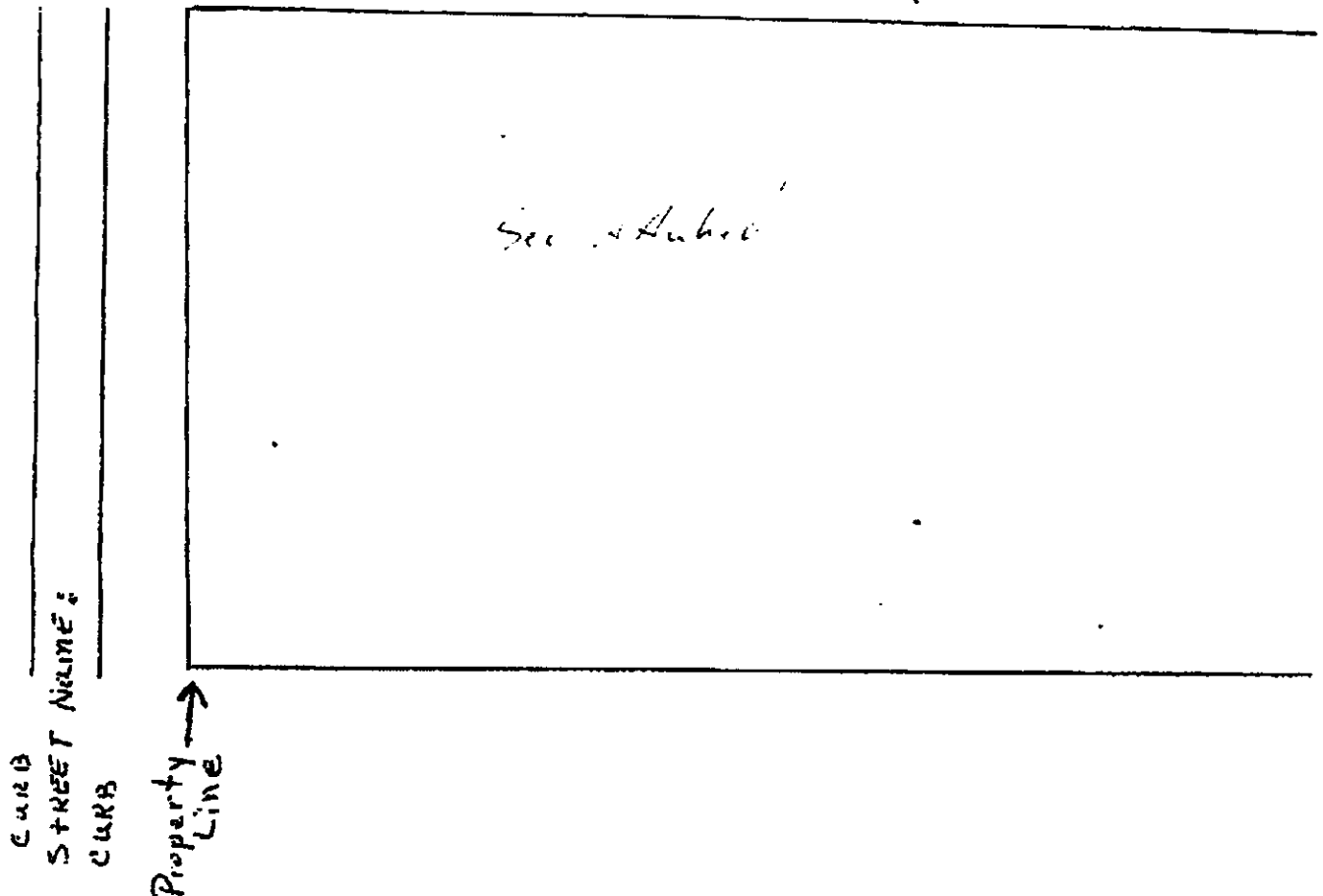
 Contractor/Builder Name: _____

Address: _____ Phone: _____

City/St/Zip: _____

PLOT PLAN: SHOW ALL DIMENSIONS OF LOT, MEASURED DISTANCES FROM STRUCTURE TO ALL LOT LINES, LOCATION OF ALL BUILDINGS ON PROPERTY, PROPOSED BUILDINGS, SEPTIC TANK, AND WELL (if any)

ADDRESS: 3208 West Lake Ave



REVIEW QUESTIONS:

Does the structure meet the village building codes? Yes
 Are variances attached if required? NO
 Are plot plans attached? Yes

REVIEW QUESTION FOR FLOODPLAIN MANAGEMENT:

Is the structure located in the floodplain? Yes
 Is the structure located in the floodway? NO
 Is the structure a substantial improvement? NO
 Is the alteration or addition 50% of market value? NO
 Is the development requiring a FLOODPLAIN PERMIT? NO
 Are FLOODPLAIN DEVELOPMENT PERMITS ATTACHED & IN ORDER? N/A

BASE FLOOD ELEVATION _____

FLOODPLAIN PERMIT _____

VARIANCE REQUIRED _____

"NO RISE" CERT. REQUIRED _____

ELEVATION CERT. REQUIRED _____

Garage & Curbside only, no residential structure shown b. 14.

Inspections are required as follows: Locating inspection is required prior to covering.
Framing inspection is required after all rough in mechanical and plumbing are in place.
Final inspection is required upon completion of the structure.

Inspections will be made Monday through Friday except legal county holidays between the hours of 8:00 a.m. and 3:30 p.m.

For inspections please call the County Zoning Office on or before the date of the required inspection.

Cass County Zoning Office, Plattsmouth, Nebraska 68048

Phone: 402-234-9359

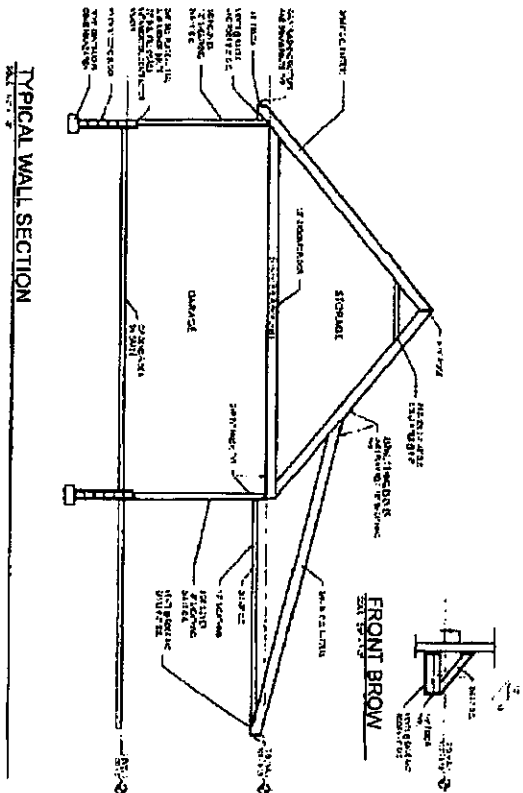
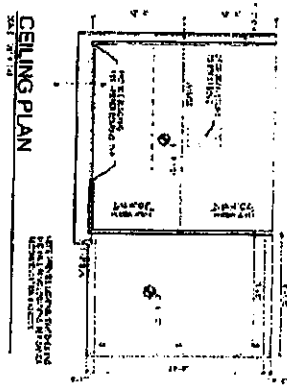
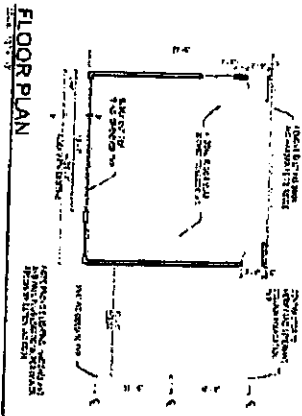
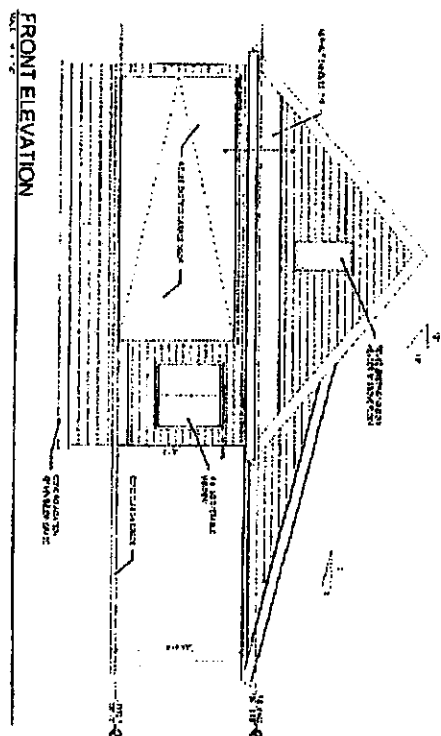
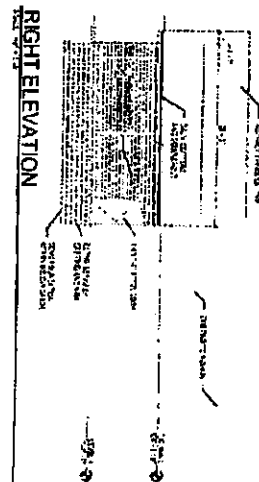
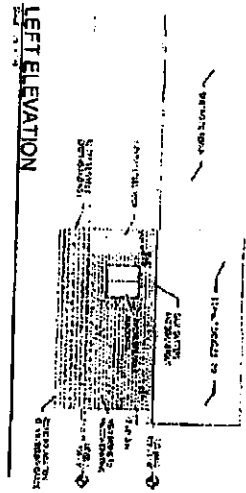
Certification: I hereby certify that to the best of my knowledge, the information given herein and on the attached drawings, and the attached survey, is accurate to the best of my ability. It is understood and agreed that any error, misstatement or misrepresentation of fact, either with or without intention on my part, such as might, if known cause refusal of this application, or any alteration or change without the approval of the Enforcement Officer, shall constitute sufficient grounds for revocation of such permit. All construction and materials will meet the requirements of the Uniform Building, the Uniform Mechanical and the Uniform Plumbing Codes, 1988 Edition and the National Electrical Code, 1993 Edition. I understand all fees shall be paid prior to the start of any construction.

APPROVAL: The application, as stated above and on the plans hereto attached, is hereby approved based on all information provided. The approval given is subject to all Federal, State, and Local laws, and to any filed restrictions.

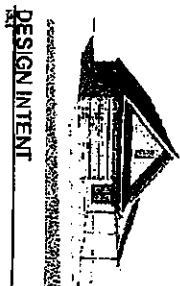
SIGNATURE OF APPLICANT: Redney L. Pinner, Date: 7/21/2017

VILLAGE BOARD CHAIRMAN: Patrick L. Linder, Date: 5-4-17

by Deborah S. Cunningham - clerk
Deborah S. Cunningham



- GENERAL NOTES:
1. CONTRACTOR TO FIELD VERIFY ALL JOB SITE CONDITIONS AND DIMENSIONS
 2. CONTRACTOR TO FIELD VERIFY SILL AND PROVIDE ADEQUATE FOUNDATION DESIGN
 3. FOLLOW ALL LOCAL, BUILDING CODES AND REGULATIONS
 4. ALL LUMBER THAT CONTACTS CONCRETE OR BLOCK SHALL BE TREATED
 5. ALL GRADES SHALL SLOPE AWAY FROM FOUNDATION

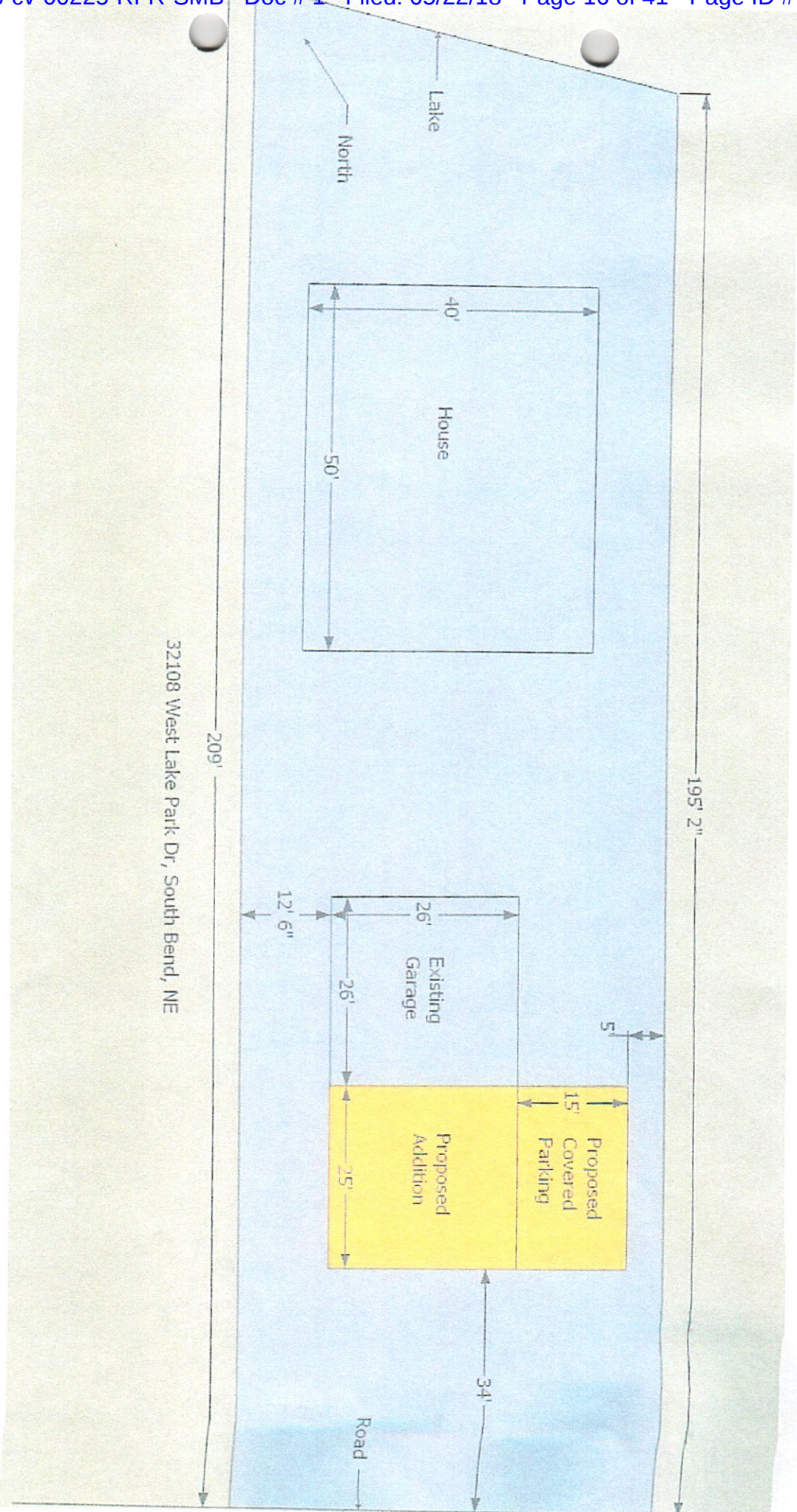


Daniel Zegers

A1.0

ARCHITECTURAL DRAWINGS
PENNER'S GARAGE ADDITION

Project Status



32108 West Lake Park Dr, South Bend, NE

North Lake Condominium Association
Off: 11720 W Dodge Rd
Omaha NE 68154

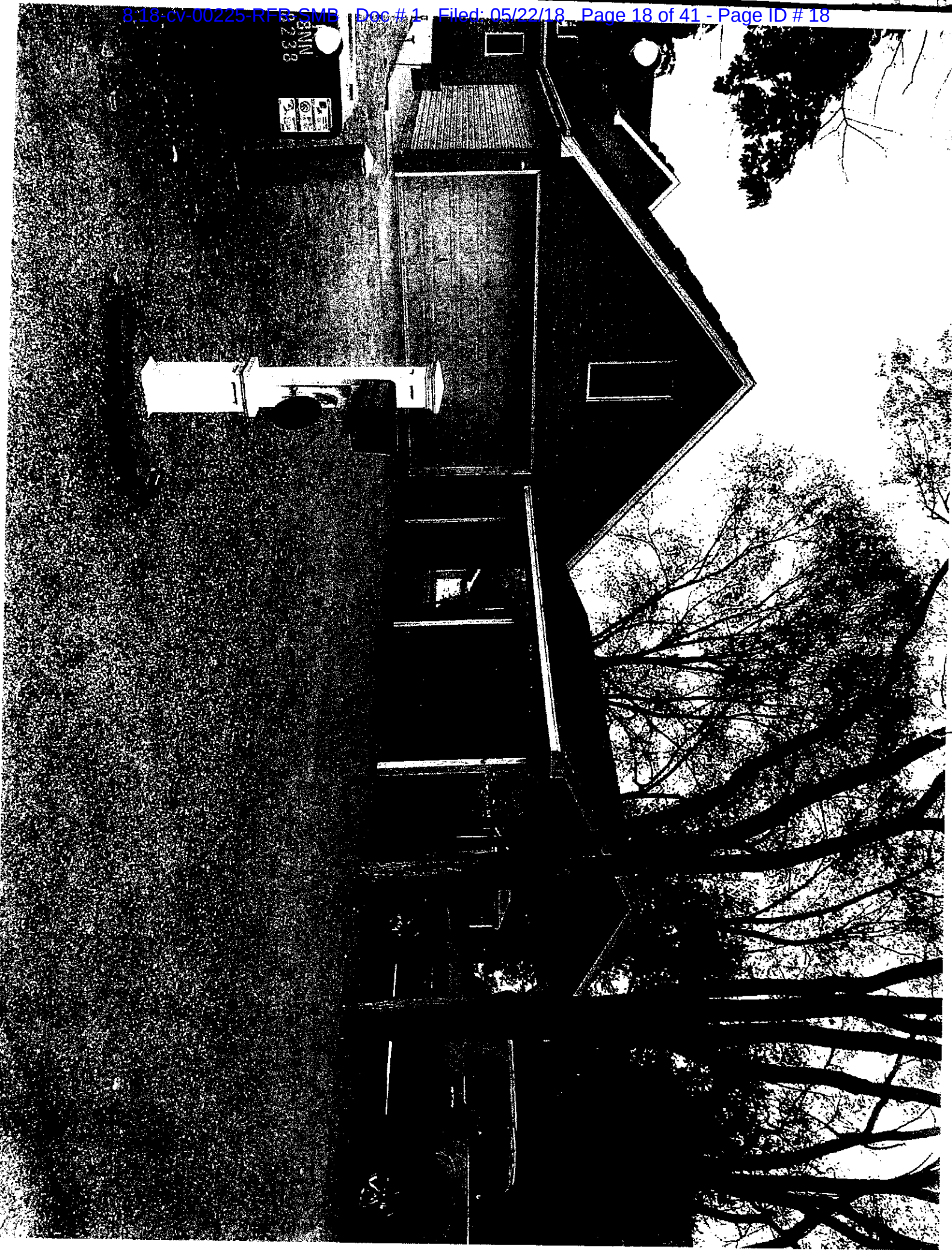
Rod Penner
32108 W Lake Park Dr
South Bend, NE 68058

May 2, 2017

Rod,

Your application for your garage addition has been approved by the Architectural Committee and the NLCA Board.

Pat Lemmers
NLCA President



APPLICATION - PERMIT
BUILDING - PLUMBING - MECHANICAL
CASS COUNTY DEPARTMENT OF ZONING
145 N. 4th St. Plattsmouth NE 68048
Ken Riddle, Zoning Administrator
Phone (402)-296-9359 Fax (402) 296-0604

SOUTH BEND PERMIT NUMBER: 72

APPLICANT: ALAN KEETLE

ADDRESS: 32609 E LAKE PARK DR SOUTH BEND NE 68058

TELEPHONE: (402) 440-0808

VALUE: \$61,351.00 HEIGHT: FT ZONING: R: RESIDENTIAL

LEGAL: NORTH LAKE LOT 106

USE: ADDITION AND GARAGE

NOTE: The applicant agrees to allow county employees to enter the proposed structures or property for the purpose of inspections. The applicant is aware that Cass County will occasionally video tape during this inspection process and has no objection to this action.

CERTIFICATION: I hereby certify that I am applying for this permit, realizing that I must keep the property to such standards as will safeguard public health, safety, and the general welfare. I further certify that to the best of my knowledge, the information given herein and on the attached drawings, is accurate. It is understood and agreed that any error, mistake or misrepresentation, either with or without intent on my part, such as might, if known, cause refusal of this application, or any alteration or change without the approval of the Enforcement Officer shall constitute sufficient grounds for revocation of such permit

APPROVAL: The application, as stated above and on the plans hereto attached, is hereby approved based on all information provided. The approval given is subject to all Federal, State and Local laws, and to any filed restrictions.

REQUIREMENTS: All construction and materials must meet the requirements of the Uniform Building, Mechanical and Plumbing Codes and the National Electrical Code.

This permit is valid for a period of two years from issuance so long as work continues at a regular pace. A new permit must be issued if work has not commenced within 180 days of issuance, or if there is a work stoppage for a period of 180 days.

INSPECTIONS ARE REQUIRED AS FOLLOWS: Footing inspections are required after the trenches have been prepared and prior to placement of concrete. Foundation inspections after walls are completed and prior to any framing. Groundwork inspections prior to covering any plumbing below grade with sand, gravel or soft dirt. Framing inspection is required after all rough in mechanical, electrical and plumbing are in place and prior to insulation. Septic inspection is required upon completion of the structure. A final inspection is required before a certificate of occupancy will be issued.

APPLICANT:

Alan J. Keetle

DATE

2-17-06

TOTAL FEE

\$650.51

Ken Riddle

Ken Riddle; Zoning Administrator

24 HOUR NOTICE REQUIRED TO SCHEDULE INSPECTIONS

A \$40.00 reinspection fee will be assessed

Inspection made Monday through Friday, excluding holidays, 8:30 A.M. to 3:30 P.M.
Call Cass County Zoning to schedule your inspection

VILLAGE OF SOUTH BEND

P.O. BOX 68, SOUTH BEND, NE 68508

Clerk's Phone (402)944-2349

OK to
Issue Permit
Pat [Signature]

BUILDING PERMIT APPLICATION (ELECTRICAL/PLUMBING/MECHANICAL)

APPLICATION DATE: 2-1-06
 OWNER: Craig Gang, Alan Keetle, Scott Keetle
 MAILING ADDRESS: 2200 W Panama Road
 CITY/STATE/ZIP: Martell NE 68404
 TELEPHONE: 402-794-5000

PURPOSE OF APPLICATION: _____
 BUILDING X ELECTRICAL _____ PLUMBING _____ MECHANICAL _____

ADDRESS OF BUILDING SITE: 32609 E Lake PK DRLOT NUMBER/LEGAL DESCRIPTION: # 106 unplatted on - NW 1/4N 13-12-10

ZONING: _____ LOT SIZE: _____

RESIDENTIAL STRUCTURE X NON-RESIDENTIAL STRUCTURE 0

TYPE OF STRUCTURE/BUILDING (INDICATE ONE ONLY PER PERMIT)

PORCH _____ DECK _____ HOME _____ PATIO _____
 GARAGE _____ GAZEBO _____ FENCE _____ TOOL SHED _____
 POLE SHED _____ BASEMENT _____ SIDEWALK _____

OTHER (DESCRIBE) Two story addition storage/garage/living

INDICATE THE FOLLOWING IN RELATION TO TYPE OF STRUCTURE:

NEW CONSTRUCTION X ADDITION _____ SLAB FOUNDATION _____
 CRAWL SPACE _____ BASEMENT _____ MOBILE HOME _____
 STORAGE _____ OTHER _____ REPLACEMENT _____

INDICATE TYPE OF CONSTRUCTION (IN RELATION TO TYPE OF STRUCTURE)

WALKOUT _____ SINGLE RESIDENCE X DUPLEX _____ MULTI UNIT _____
 SHED _____ HIGH RISE _____ RANCH _____ SPLIT ENTRY _____
 INDUSTRIAL _____ COMMERCIAL _____

STRUCTURE: WIDTH 32 LENGTH 42 HEIGHT 16'SQUARE FOOTAGE 704 garage # OF STORIES 2

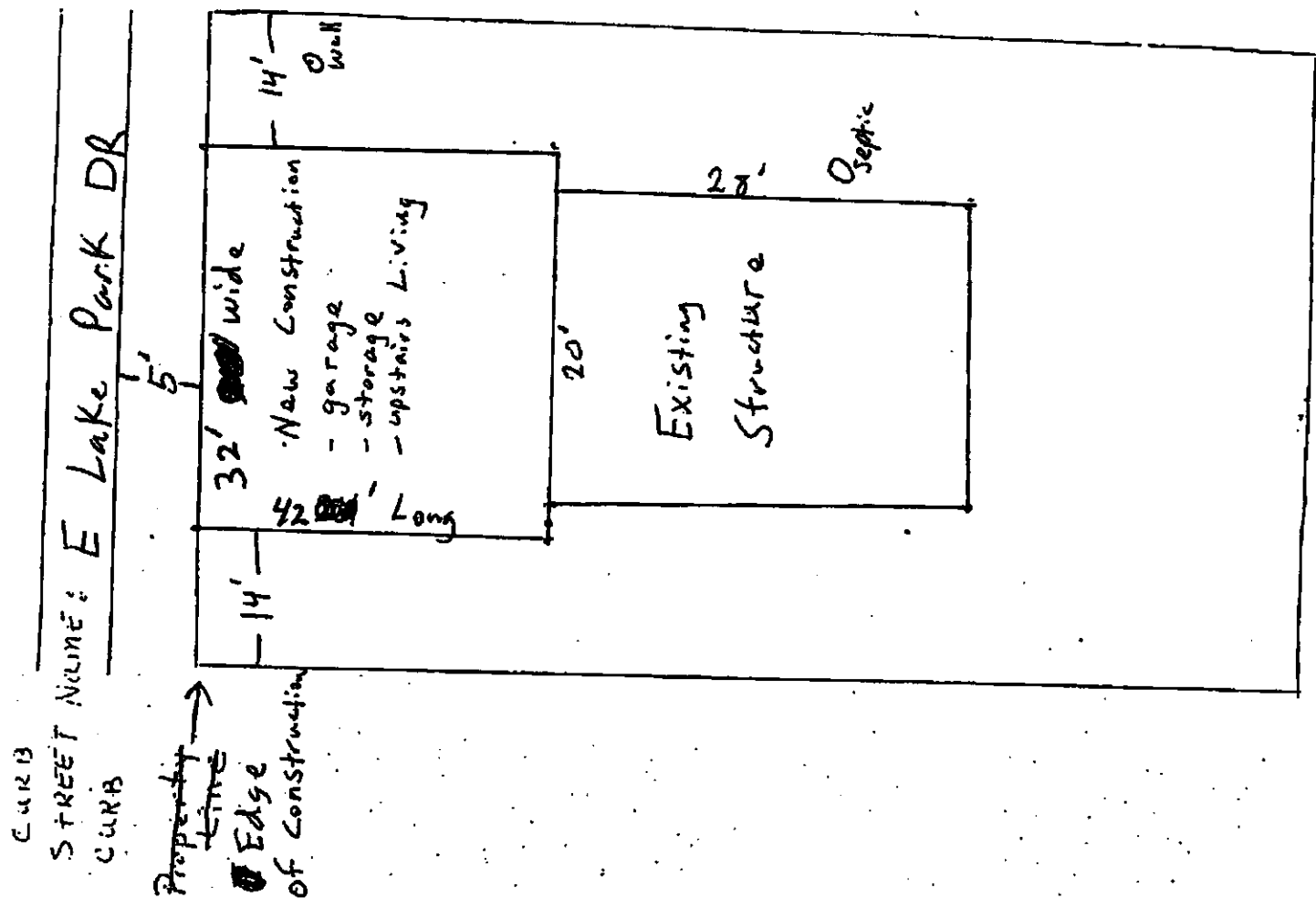
TYPE OF CONSTRUCTION MATERIAL (INDICATE IN RELATION TO STRUCTURE)
 BRICK _____ WOOD FRAME X BLOCK _____ POURED WALLS X footing/slab
 SIDING X Concrete Siding _____ ROOFING Shingles

FRONT YARD SETBACK 30' +/- Lake SIDEYARD SETBACK 14' +/-DISTANCE FROM REAR LOT LINE: 5' asphalt, 100% riverDISTANCE FROM CENTER OF ALLEY: 15' +/- middle of asphalt roadSEWAGE DISPOSAL (DEPT. OF HEALTH REGULATIONS) Lake sewer lagoonsCOST OF CONSTRUCTION FOR BUILDING PERMIT APPLICATION: \$35-40 K

Contractor/Builder Name: Gruber ContractingAddress: 1950 W Panama Rd Phone: 402-525-8110City/St/Zip: Martell, NE 68404

PLOT PLAN: SHOW ALL DIMENSIONS OF LOT, MEASURED DISTANCES FROM STRUCTURE TO ALL LOT LINES, LOCATION OF ALL BUILDINGS ON PROPERTY, PROPOSED BUILDINGS, SEPTIC TANK, AND WELL (if any)

ADDRESS: 32609 E Lake Park DR



REVIEW QUESTIONS:

Does the structure meet the village building codes? yes
 Are variances attached if required? NO
 Are plot plans attached? Yes No Building Plans - yes

REVIEW QUESTION FOR FLOODPLAIN MANAGEMENT:

Is the structure located in the floodplain? yes
 Is the structure located in the floodway? NO
 Is the structure a substantial improvement? yes - appearance No - cost
 Is the alteration or addition 50% of market value? NO
 Is the development requiring a FLOODPLAIN PERMIT? NO
 Are FLOODPLAIN DEVELOPMENT PERMITS ATTACHED & IN ORDER? NO

BASE FLOOD ELEVATION _____

FLOODPLAIN PERMIT _____

VARIANCE REQUIRED _____

"NO RISE" CERT. REQUIRED _____

ELEVATION CERT. REQUIRED _____

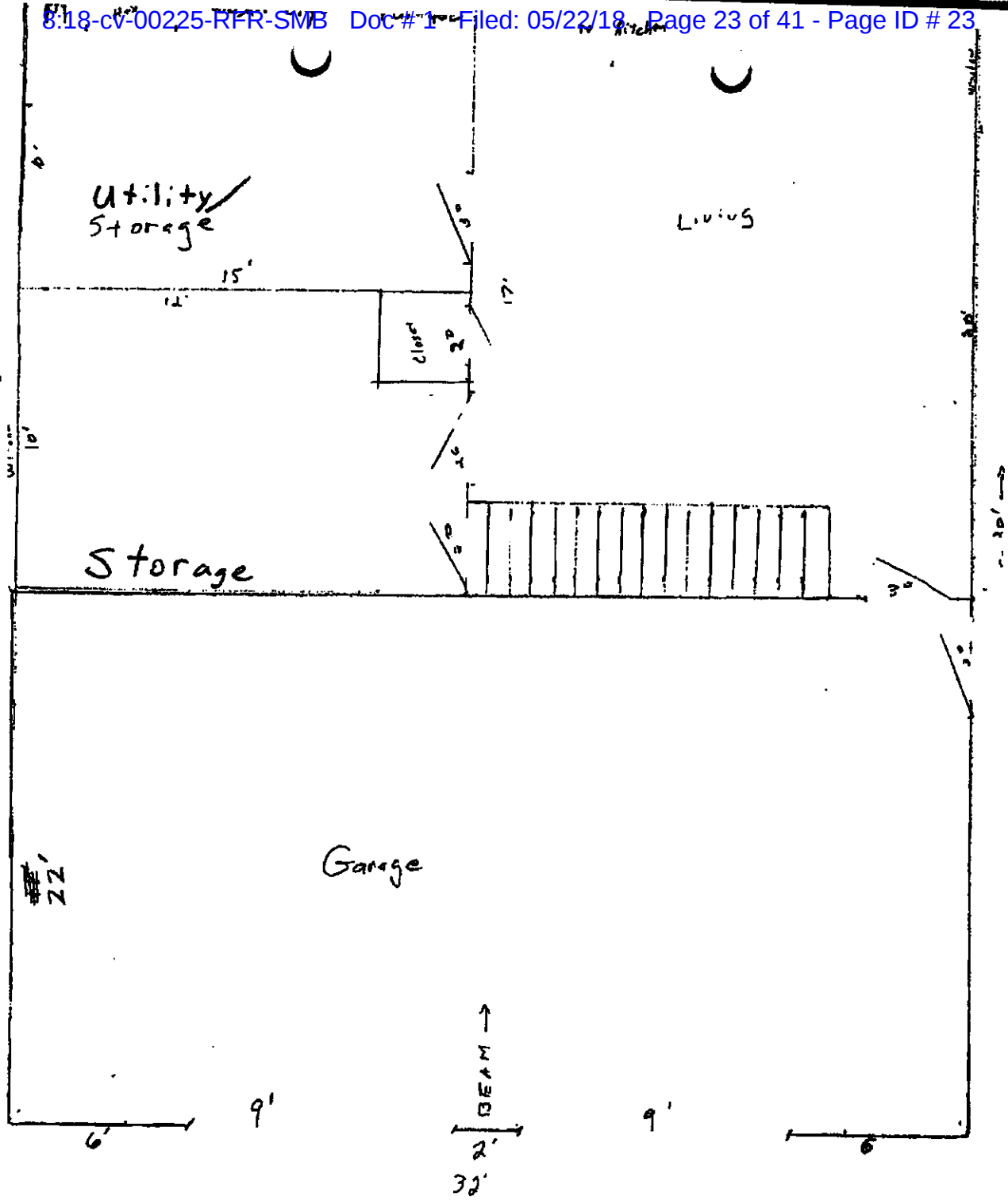
Hand-drawn floor plan of a house. The overall dimensions are 36' wide by 30' deep. The plan includes the following rooms and features:

- Top Left:** A room labeled "Bath" with a width of 10'.
- Top Right:** An area labeled "OPEN TO Below".
- Middle Left:** A large "Bed Rm" with a width of 13'.
- Middle Right:** A "Kitchen" area containing a "Range" and a "SINK". It is adjacent to a "Living" area with a "TV".
- Bottom Left:** A "Bed Rm" with a width of 14'.
- Bottom Right:** A "Bed Rm" with a width of 14'.
- Bottom Center:** A "Covered Deck" area.
- Other Features:** Several "Closet" areas are indicated. A "HALL" runs vertically through the center. Dimensions for various sections are provided, such as 10', 13', 14', 10', 14', 36', and 30'.

32609 E. Lake Park Drive
Lot 106
South Bend, Nbr 46508

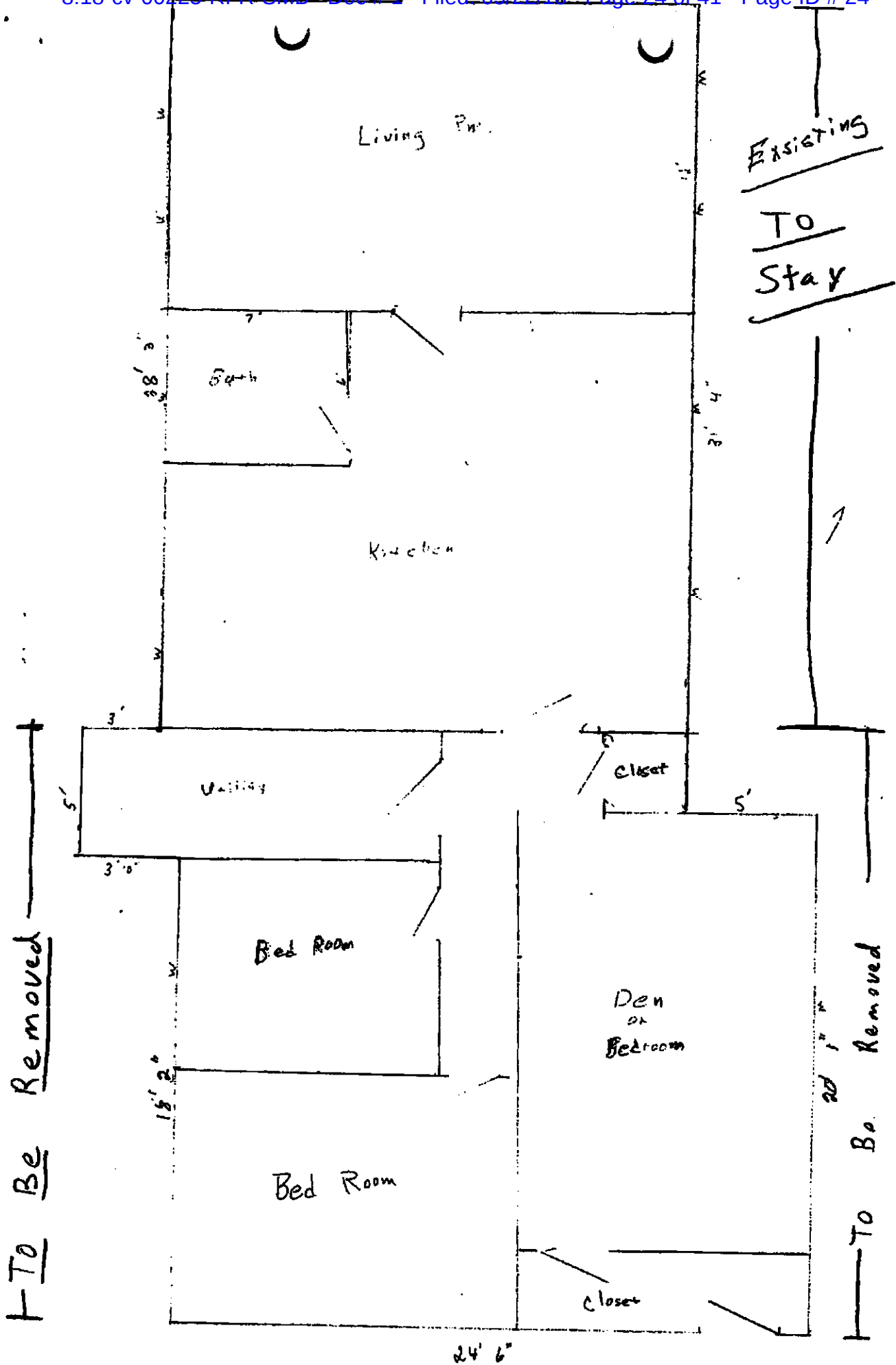
2nd Floor.

②
Lower Level
to replace removed portion of stage 1



5' to Asphalt
± 10' setbacks
2x6 Exterior walls
2x4 Interior "

1st floor
Proposed





Western Sand & Gravel
PO Box 28
Ashland, NE 68003
Phone: 402-944-3331
Fax: 402-944-2039

To: Jim Rughe/Cass County Building Inspector From: Dean Busing

Fax: 296-0604

Date: 01-31-06

Phone: 296-9359

Pages: 1

RE: North Lake Building Permit - Lot #106

CC: South Bend Village Board - Attn Wally Taylor @ #306-2567/944-2651

Urgent

For Review

Please Reply

Please Comment

Please be advised that South Bend Lakes, Inc. has reviewed the construction plans and proposed site of Craig Gana's intended remodel/reconstruction of Lot #106 North Lake. We approve this addition with no comments or concerns regarding this proposed construction. If anything further is required from South Bend Lakes, Inc. please advise.

Dean Busing
Vice President
South Bend Lakes, Inc.

APPLICATION - PERMIT
BUILDING - PLUMBING - MECHANICAL
CASS COUNTY DEPARTMENT OF ZONING
13860 12th St. Plattsmouth NE 68048;
Michael Jensen; Cass Co Zoning Administrator
Phone (402)-296-9359 Fax (402) 296-0604

SOUTH BEND PERMIT NUMBER: 129

APPLICANT: DANIEL KLAUS

ADDRESS: 16516 LAKE PARK DR SOUTH BEND NE 68058

TELEPHONE: (402) 450-9718

VALUE: \$192,832.00 HEIGHT: FT ZONING: TA: TRANSITIONAL AGRICULTURAL

LEGAL: NORTH LAKE LOT 13

USE: RESIDENCE

NOTE: The applicant agrees to allow county employees to enter the proposed structures or property for the purpose of inspections. The applicant is aware that Cass County will occasionally video tape during this inspection process and has no objection to this action.


CERTIFICATION: I hereby certify that I am applying for this permit, realizing that I must keep the property to such standards as will safeguard public health, safety, and the general welfare. I further certify that to the best of my knowledge, the information given herein and on the attached drawings, is accurate. It is understood and agreed that any error, mistake or misrepresentation, either with or without intent on my part, such as might, if known, cause refusal of this application, or any alteration or change without the approval of the Enforcement Officer shall constitute sufficient grounds for revocation of such permit

APPROVAL: The application, as stated above and on the plans hereto attached, is hereby approved based on all information provided. The approval given is subject to all Federal, State and Local laws, and to any filed restrictions.

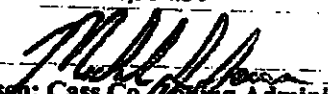
REQUIREMENTS: All construction and materials must meet the requirements of the International Building Code and the National Electric Code.

This permit is valid for a period of two years from issuance so long as work continues at a regular pace. A new permit must be issued if work has not commenced within 180 days of issuance, or if there is a work stoppage for a period of 180 days. All building permit fees are non refundable.

INSPECTIONS ARE REQUIRED AS FOLLOWS: Footing inspections are required after the trenches have been prepared and prior to placement of concrete. Foundation inspections prior to pouring. Groundwork inspections prior to covering any plumbing below grade with sand, gravel or soft dirt. Framing inspection is required after all rough in mechanical, electrical and plumbing are in place and prior to insulation. Insulation inspection is required after rough-in. Septic inspection is required upon completion of the structure. A final inspection is required before a certificate of occupancy will be issued.

APPLICANT:  **DATE** 10/16/15

TOTAL FEE \$1,352.36


Michael Jensen; Cass Co Zoning Administrator

24 HOUR NOTICE REQUIRED TO SCHEDULE INSPECTIONS
A \$40.00 reinspection fee will be assessed

Inspection made Monday through Friday, excluding holidays, 8:30 A.M. to 3:30 P.M.
Call Cass County Zoning to schedule your inspection

APPLICATION - PERMIT
BUILDING - PLUMBING - MECHANICAL
CASS COUNTY DEPARTMENT OF ZONING
13860 12th St. Plattsmouth NE 68048;
Michael Jensen; Cass Co Zoning Administrator
Phone (402)-296-9359 Fax (402) 296-0604

SOUTH BEND PERMIT NUMBER: 129

APPLICANT: DANIEL KLAUS

ADDRESS: 16516 LAKE PARK DR SOUTH BEND NE 68058

TELEPHONE: (402) 450-9718

VALUE: \$201,181.00 HEIGHT: FT ZONING: TA: TRANSITIONAL AGRICULTURAL

LEGAL: NORTH LAKE LOT 13

USE: RESIDENCE add deck 6-14-16

NOTE: The applicant agrees to allow county employees to enter the proposed structures or property for the purpose of inspections. The applicant is aware that Cass County will occasionally video tape during this inspection process and has no objection to this action.

CERTIFICATION: I hereby certify that I am applying for this permit, realizing that I must keep the property to such standards as will safeguard public health, safety, and the general welfare. I further certify that to the best of my knowledge, the information given herein and on the attached drawings, is accurate. It is understood and agreed that any error, mistake or misrepresentation, either with or without intent on my part, such as might, if known, cause refusal of this application, or any alteration or change without the approval of the Enforcement Officer shall constitute sufficient grounds for revocation of such permit

APPROVAL: The application, as stated above and on the plans hereto attached, is hereby approved based on all information provided. The approval given is subject to all Federal, State and Local laws, and to any filed restrictions.

REQUIREMENTS: All construction and materials must meet the requirements of the International Building Code and the National Electric Code.

This permit is valid for a period of two years from issuance so long as work continues at a regular pace. A new permit must be issued if work has not commenced within 180 days of issuance, or if there is a work stoppage for a period of 180 days. All building permit fees are non refundable.

INSPECTIONS ARE REQUIRED AS FOLLOWS: Footing inspections are required after the trenches have been prepared and prior to placement of concrete. Foundation inspections prior to pouring. Groundwork inspections prior to covering any plumbing below grade with sand, gravel or soft dirt. Framing inspection is required after all rough in mechanical, electrical and plumbing are in place and prior to insulation. Insulation inspection is required after rough-in. Septic inspection is required upon completion of the structure. A final inspection is required before a certificate of occupancy will be issued.

APPLICANT:

TOTAL FEE

\$126.59

DATE

6/14/16

Michael Jensen; Cass Co Zoning Administrator

24 HOUR NOTICE REQUIRED TO SCHEDULE INSPECTIONS

A \$40.00 reinspection fee will be assessed

Inspection made Monday through Friday, excluding holidays, 8:30 A.M. to 3:30 P.M.
Call Cass County Zoning to schedule your inspection

Apr 05 12 09:16a

Pat & Deb C. Ugham

402-42349

p.2

VILLAGE OF SOUTH BEND
P.O. BOX 68, SOUTH BEND, NE 68058
Clerk's Phone (402)944-2349

BUILDING PERMIT APPLICATION (ELECTRICAL/PLUMBING/MECHANICAL)

APPLICATION DATE: October 6, 2015 402-450-9718
 OWNER: Daniel & Carol Klaus
 MAILING ADDRESS: 3300 E. Pershing Rd.
 CITY/STATE/ZIP: Lincoln, NE 68502
 TELEPHONE: 402-423-4334 or 402-432-4553 (Dan's Cell)

PURPOSE OF APPLICATION: New Home Construction
 BUILDING ☒ ELECTRICAL ☐ PLUMBING ☐ MECHANICAL ☐

ADDRESS OF BUILDING SITE: 16516 Lake Park Drive

LOT NUMBER/LEGAL DESCRIPTION: Lot #13; NW 1/4, Section 13, Township 12 North, Range 10 East

ZONING: R-1 Lakeside Residential District LOT SIZE: _____
 RESIDENTIAL STRUCTURE ☒ NON-RESIDENTIAL STRUCTURE ☐

TYPE OF STRUCTURE/BUILDING (INDICATE ONE ONLY PER PERMIT)

PORCH ☐ DECK ☐ HOME ☒ PATIO ☐
 GARAGE ☐ GAZEBO ☐ FENCE ☐ TOOL SHED ☐
 POLE SHED ☐ BASEMENT ☐ SIDEWALK ☐
 OTHER (DESCRIBE) _____

INDICATE THE FOLLOWING IN RELATION TO TYPE OF STRUCTURE:

NEW CONSTRUCTION ☒ ADDITION ☐ SLAB FOUNDATION ☐
 CRAWL SPACE ☐ BASEMENT ☐ MOBILE HOME ☐
 STORAGE ☐ OTHER ☒ REPLACEMENT ☐

INDICATE TYPE OF CONSTRUCTION (IN RELATION TO TYPE OF STRUCTURE)

WALKOUT ☐ SINGLE RESIDENCE ☒ DUPLEX ☐ MULTI UNIT ☐
 SHED ☐ HIGH RISE ☐ RANCH ☐ SPLIT ENTRY ☐
 INDUSTRIAL ☐ COMMERCIAL ☐

STRUCTURE: WIDTH 60' LENGTH 38' HEIGHT 18'8" + foundation
 SQUARE FOOTAGE 2096 # OF STORIES 1

TYPE OF CONSTRUCTION MATERIAL (INDICATE IN RELATION TO STRUCTURE)

BRICK ☐ WOOD FRAME ☒ BLOCK ☐ POURED WALLS ☒
 SIDING PVC Shingle ROOFING Asphalt Shingle

FRONT YARD SETBACK _____ SIDEYARD SETBACK _____

DISTANCE FROM REAR LOT LINE: _____

DISTANCE FROM CENTER OF ALLEY: _____

SEWAGE DISPOSAL (DEPT. OF HEALTH REGULATIONS) _____

COST OF CONSTRUCTION FOR BUILDING PERMIT APPLICATION: \$ 200,000

Contractor/Builder Name: John Novotny

Address: 8708 W. Plum Rd Phone: 402-239-4185

City/St/Zip: Odell, NE 68145

\$1352.³¹
 + set of plans
 including
 electrical
 detail

Apr 05 12 09:17a

Pat & Deb Cunningham

40-42349

p.4

DEVELOPMENT PERMIT APPLICATION

is used for any man-made change to improved or unimproved real estate, including but not limited to structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of materials.

Developer must obtain all other necessary federal, state, or local permits (e.g. Corps of Engineers 404 Permit, LE District, etc.)

Name of Applicant: Daniel & Carol Klaus

Address: 3300 E. Pershing Rd., Lincoln, NE 68502

Type and Use of Development: Construct Single-family residence

Specific Location of Development: 16516 Lake Park Drive; Lot #13;
NW 1/4, Section 13, Township 12 North, Range 10 East

Complete this section if the proposed development involves the improvement of a structure (i.e. walled and roofed building, manufactured home, or gas and liquid storage tanks)

Pre-Improvement Value of Structure: \$ _____

Cost of Improvement: \$ _____

The Following Section is to be Completed by the Community Official:

Is the development Substantial Improvement? (see #4)

YES (Circle) NO

Is the development in an identified floodplain?

YES NO

If YES, complete the following:

a. Elevation of the Base (100-Year) Flood _____ ft.

MSL NAVD 83
OR
FAD 83

b. Elevation/Floodproofing Requirement (if applicable) _____ ft.

MSL NAVD 83
OR
FAD 83

☐ c. The developer may be required to submit hydraulic data demonstrating that the proposed development will not increase flood heights more than one foot at any location.

If development is in a floodplain, the following shall apply:

If permit is issued with the condition that the lowest floor (including basement floor) of any new or substantially improved residential building will be elevated at least one foot above the base flood elevation. If the proposed development is a nonresidential building, this permit is issued with the condition that the lowest floor (including basement) of a new or substantially improved nonresidential building will be elevated or floodproofed at least one foot above the base flood elevation. The Developer/Owner will provide certification by a registered Engineer, Architect, or Land Surveyor of the "as-built" lowest floor elevation (including basement) or floodproofed elevation of any new or substantially improved building covered by this permit.

Provisions of the _____ Floodplain Management Ordinance/Resolution (Number _____) shall be complied with (County or City)

Apr 05 12 09:16a

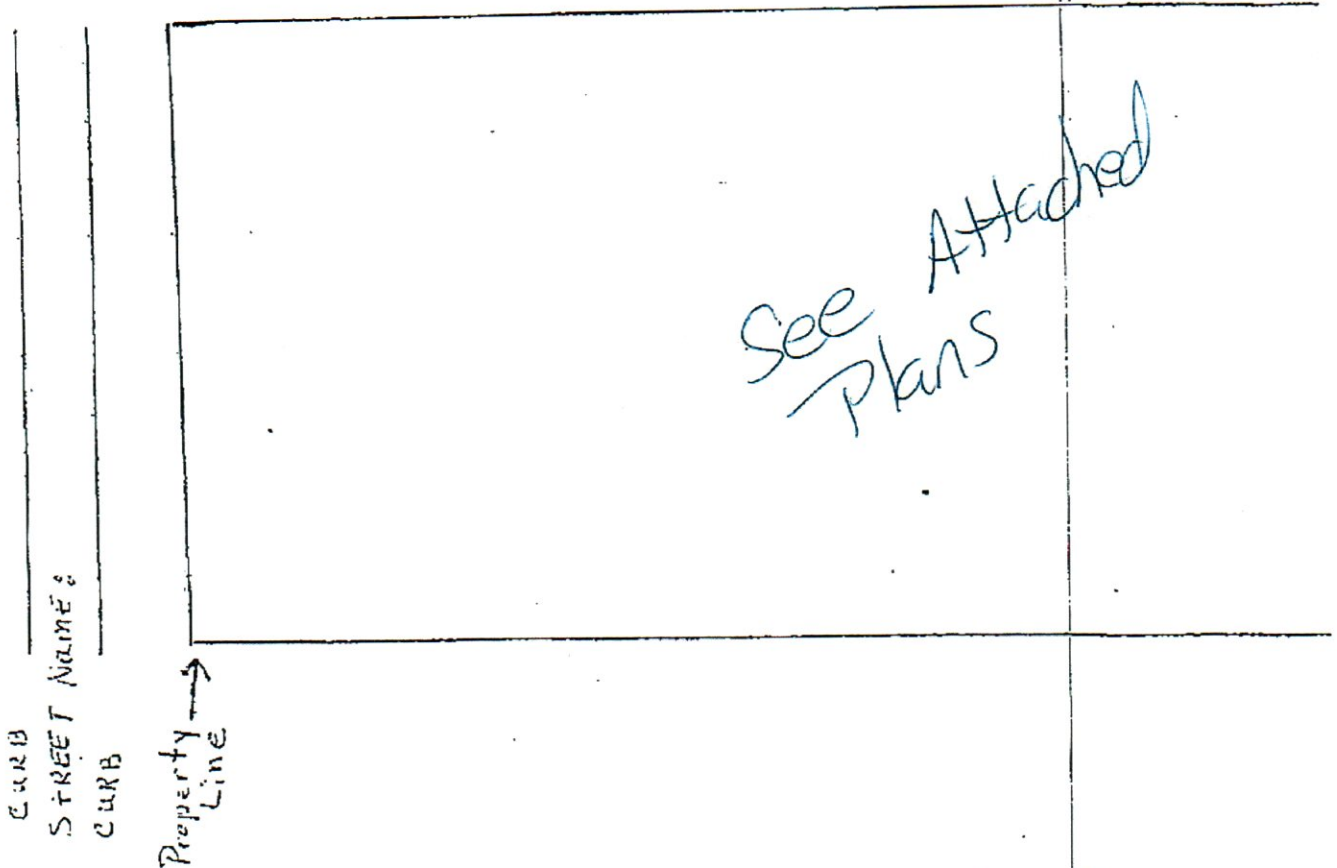
Pat & Deb Cunningham

40 42349

p.3

PLOT PLAN: SHOW ALL DIMENSIONS OF LOT, MEASURED DISTANCES FROM STRUCTURE TO ALL LOT LINES, LOCATION OF ALL BUILDINGS ON PROPERTY, PROPOSED BUILDINGS, SEPTIC TANK, AND WELL (if any)

ADDRESS: _____



REVIEW QUESTIONS:

Does the structure meet the village building codes ? Y
 Are variances attached if required ? _____
 Are plot plans attached ? _____

REVIEW QUESTION FOR FLOODPLAIN MANAGEMENT:

Is the structure located in the floodplain ? Y
 Is the structure located in the floodway ? _____
 Is the structure a substantial improvement ? _____
 Is the alteration or addition 50% of market value ? _____
 Is the development requiring a FLOODPLAIN PERMIT ? _____
 Are FLOODPLAIN DEVELOPMENT PERMITS ATTACHED & IN ORDER ? _____

BASE FLOOD ELEVATION 1046.5

FLOODPLAIN PERMIT _____ "NO RISE" CERT. REQUIRED _____
 VARIANCE REQUIRED _____ ELEVATION CERT. REQUIRED _____

Apr 05 12 09:17a

Pat & Deb Cunningham

402-2349

p.5

Inspections are required as follows. Footing inspection is required prior to covering.
Framing inspection is required after all rough in mechanical and plumbing are in place.
Final inspection is required upon completion of the structure.

Inspections will be made Monday through Friday except legal county holidays between the hours of 8:30 a.m. and 3:30 p.m.

For inspections please call the County Zoning Office on or before the date of the required inspection.

Cass County Zoning Office, Plattsmouth, Nebraska 68048
Phone: 402-234-9359

Certification: I hereby certify that to the best of my knowledge, the information given herein and on the attached drawings, and the attached survey, is accurate to the best of my ability. It is understood and agreed that any error, misstatement or misrepresentation of fact, either with or without intention on my part, such as might, if known cause refusal of this application, or any alteration or change without the approval of the Enforcement Officer, shall constitute sufficient grounds for revocation of such permit. All construction and materials will meet the requirements of the Uniform Building, the Uniform Mechanical and the Uniform Plumbing Codes, 1988 Edition and the National Electrical Code, 1993 Edition. I understand all fees shall be paid prior to the start of any construction.

APPROVAL: The application, as stated above and on the plans hereto attached, is hereby approved based on all information provided. The approval given is subject to all Federal, State, and Local laws, and to any filed restrictions.

SIGNATURE OF APPLICANT: Daniel Klaus
Carol Klaus, Date: October 6, 2015

VILLAGE BOARD CHAIRMAN: [Signature], Date: 10-7-15

October 6, 2015

By Email to pc21734@windstream.net

Pat Cunningham
South Bend Village Board
South Bend, Nebraska 68058

RE: North Lake Building Permit – Lot # 13

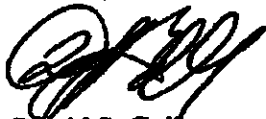
Dear Pat,

Please be advised that South Bend Lakes, Inc. has reviewed the attached plans submitted by Dan and Carol Klaus, lessees of lot #13 at North Lake. They plan to demolish the existing structure (house) and construct a new home on the lot.

We (South Bend Lakes, Inc.) approve the plan as presented and we are recognizing the approval of this project by the North Lake Association of Residents' Board of Directors. **However, we both defer all setback distance requirements to the South Bend Village Board.**

I understand that Dan Klaus has or will be contacting you to ask to be put on the Board's agenda tomorrow evening. Please let Dan know if further information is needed in regard to the plans for the lot. If anything further is required from South Bend Lakes, Inc. please contact me.

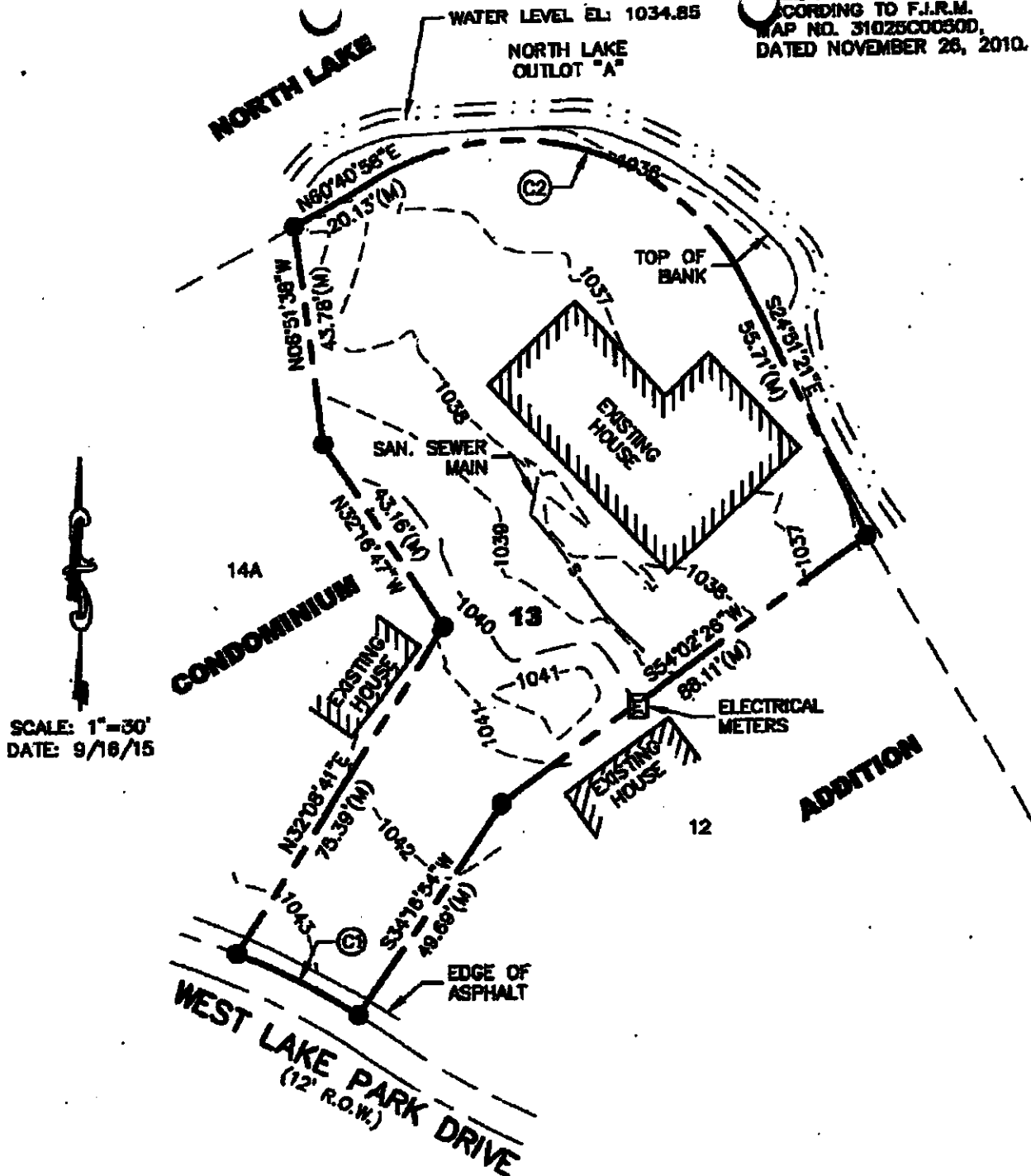
Thank you.



David J. Galt
South Bend Lakes, Inc.

cc: Mike Jensen, Cass County, via fax: 402 296 0604
Pat Lemmers, North Lake Association Board, via email: Pat@LemmersInsurance.com
Dan Klaus, via email: DKlaus@remboltlawfirm.com

USE FLOOD EL: 1048.5 - NAVD 88
 ACCORDING TO F.J.R.M.
 MAP NO. 31025C00800,
 DATED NOVEMBER 28, 2010.

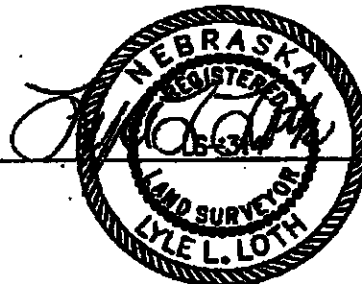


CURVE DATA

① $\Delta=09^{\circ}41'53''$
 $R=158.00'$
 $TL=13.23'$
 $AL=28.41'$
 $CL=26.37'$
 $CB=N52^{\circ}15'36''W$

② $\Delta=84^{\circ}27'42''$
 $R=50.00'$
 $TL=54.05'$
 $AL=82.43'$
 $CL=73.41''$
 $CB=S72^{\circ}05'12''E$

I HEREBY CERTIFY THAT THIS SURVEY WAS
 MADE BY ME OR UNDER MY SUPERVISION AND
 THAT I AM A LICENSED SURVEYOR UNDER
 THE LAWS OF THE STATE OF NEBRASKA.



APPLICATION - PERMIT
BUILDING - PLUMBING - MECHANICAL
CASS COUNTY DEPARTMENT OF ZONING
13860 12th St. Plattsmouth NE 68048;
Michael Jensen; Cass Co Zoning Administrator
Phone (402)-296-9359 Fax (402) 296-0604

SOUTH BEND PERMIT NUMBER: 136

APPLICANT: JACK FRANZ

ADDRESS: 16517 LAKE PARK POINT SOUTH BEND NE 68058

TELEPHONE: (402) 660-4150

VALUE: \$1,848.00 HEIGHT: FT ZONING: TA: TRANSITIONAL AGRICULTURAL

LEGAL: NORTH LAKE LOT 110

USE: DECK

NOTE: The applicant agrees to allow county employees to enter the proposed structures or property for the purpose of inspections. The applicant is aware that Cass County will occasionally video tape during this inspection process and has no objection to this action.

CERTIFICATION: I hereby certify that I am applying for this permit, realizing that I must keep the property to such standards as will safeguard public health, safety, and the general welfare. I further certify that to the best of my knowledge, the information given herein and on the attached drawings, is accurate. It is understood and agreed that any error, mistake or misrepresentation, either with or without intent on my part, such as might, if known, cause refusal of this application, or any alteration or change without the approval of the Enforcement Officer shall constitute sufficient grounds for revocation of such permit

APPROVAL: The application, as stated above and on the plans hereto attached, is hereby approved based on all information provided. The approval given is subject to all Federal, State and Local laws, and to any filed restrictions.

REQUIREMENTS: All construction and materials must meet the requirements of the International Building Code and the National Electric Code.

This permit is valid for a period of two years from issuance so long as work continues at a regular pace. A new permit must be issued if work has not commenced within 180 days of issuance, or if there is a work stoppage for a period of 180 days. All building permit fees are non refundable.

INSPECTIONS ARE REQUIRED AS FOLLOWS: Footing inspections are required after the trenches have been prepared and prior to placement of concrete. Foundation inspections prior to pouring. Groundwork inspections prior to covering any plumbing below grade with sand, gravel or soft dirt. Framing inspection is required after all rough in mechanical, electrical and plumbing are in place and prior to insulation. Insulation inspection is required after rough-in. Septic inspection is required upon completion of the structure. A final inspection is required before a certificate of occupancy will be issued.

APPLICANT:

DATE

TOTAL FEE

\$85.94

Michael Jensen; Cass Co Zoning Administrator

24 HOUR NOTICE REQUIRED TO SCHEDULE INSPECTIONS

A \$40.00 reinspection fee will be assessed

Inspection made Monday through Friday, excluding holidays, 8:30 A.M. to 3:30 P.M.

Call Cass County Zoning to schedule your inspection

VILLAGE OF SOUTH BEND
P.O. BOX 68, SOUTH BEND, NE 68058
Clerk's Phone (402)944-2349

BUILDING PERMIT APPLICATION (ELECTRICAL/PLUMBING/MECHANICAL)

APPLICATION DATE: 1/31/17
 OWNER: JACK FRANS
 MAILING ADDRESS: 16517 Lake Park Pk
 CITY/STATE/ZIP: South Bend, NE 68058
 TELEPHONE: 402-944-2328 (Cell 402-660-4150)

PURPOSE OF APPLICATION: Deck
 BUILDING ☐ ELECTRICAL ☐ PLUMBING ☐ MECHANICAL ☐

ADDRESS OF BUILDING SITE: Same

LOT NUMBER/LEGAL DESCRIPTION: Lot 110

ZONING: _____ LOT SIZE: _____
 RESIDENTIAL STRUCTURE _____ NON-RESIDENTIAL STRUCTURE _____

TYPE OF STRUCTURE/BUILDING (INDICATE ONE ONLY PER PERMIT)

PORCH _____ DECK ☒ HOME _____ PATIO _____
 GARAGE _____ GAZEBO _____ FENCE _____ TOOL SHED _____
 POLE SHED _____ BASEMENT _____ SIDEWALK _____
 OTHER (DESCRIBE) _____

INDICATE THE FOLLOWING IN RELATION TO TYPE OF STRUCTURE:

NEW CONSTRUCTION _____ ADDITION ☒ SLAB FOUNDATION _____
 CRAWL SPACE _____ BASEMENT _____ MOBILE HOME _____
 STORAGE _____ OTHER _____ REPLACEMENT _____

INDICATE TYPE OF CONSTRUCTION (IN RELATION TO TYPE OF STRUCTURE)

WALKOUT _____ SINGLE RESIDENCE _____ DUPLEX _____ MULTI UNIT _____
 SHED _____ HIGH RISE _____ RANCH _____ SPLIT ENTRY _____
 INDUSTRIAL _____ COMMERCIAL _____

STRUCTURE: WIDTH 7' LENGTH 24' HEIGHT 7 1/2'
 SQUARE FOOTAGE 168 # OF STORIES _____

TYPE OF CONSTRUCTION MATERIAL (INDICATE IN RELATION TO STRUCTURE)

BRICK _____ WOOD FRAME ☒ BLOCK _____ POURED WALLS _____
 SIDING _____ ROOFING _____

FRONT YARD SETBACK 28' SIDEYARD SETBACK 10'

DISTANCE FROM REAR LOT LINE: 30

DISTANCE FROM CENTER OF ALLEY: 30'

SEWAGE DISPOSAL (DEPT. OF HEALTH REGULATIONS) sewer

COST OF CONSTRUCTION FOR BUILDING PERMIT APPLICATION: \$ 500.00

Contractor/Builder Name: Jack Frans

Address: Same as Above Phone: _____

City/St/Zip: _____

Re: permit for deck - jack frans

Re: permit for deck

Richard Clements <rickc@aebank.com>

Thu 1/26/2017 8:54 AM

Inbox

To: jack frans <haprunner@live.com>; Pat Lemmers <pat@lemmersinsurance.com>;

Jack,

I approve of the deck on your garage. Looks great.

Rick Clements

On 1/26/2017 8:47 AM, jack frans wrote:

Good morning Rick,

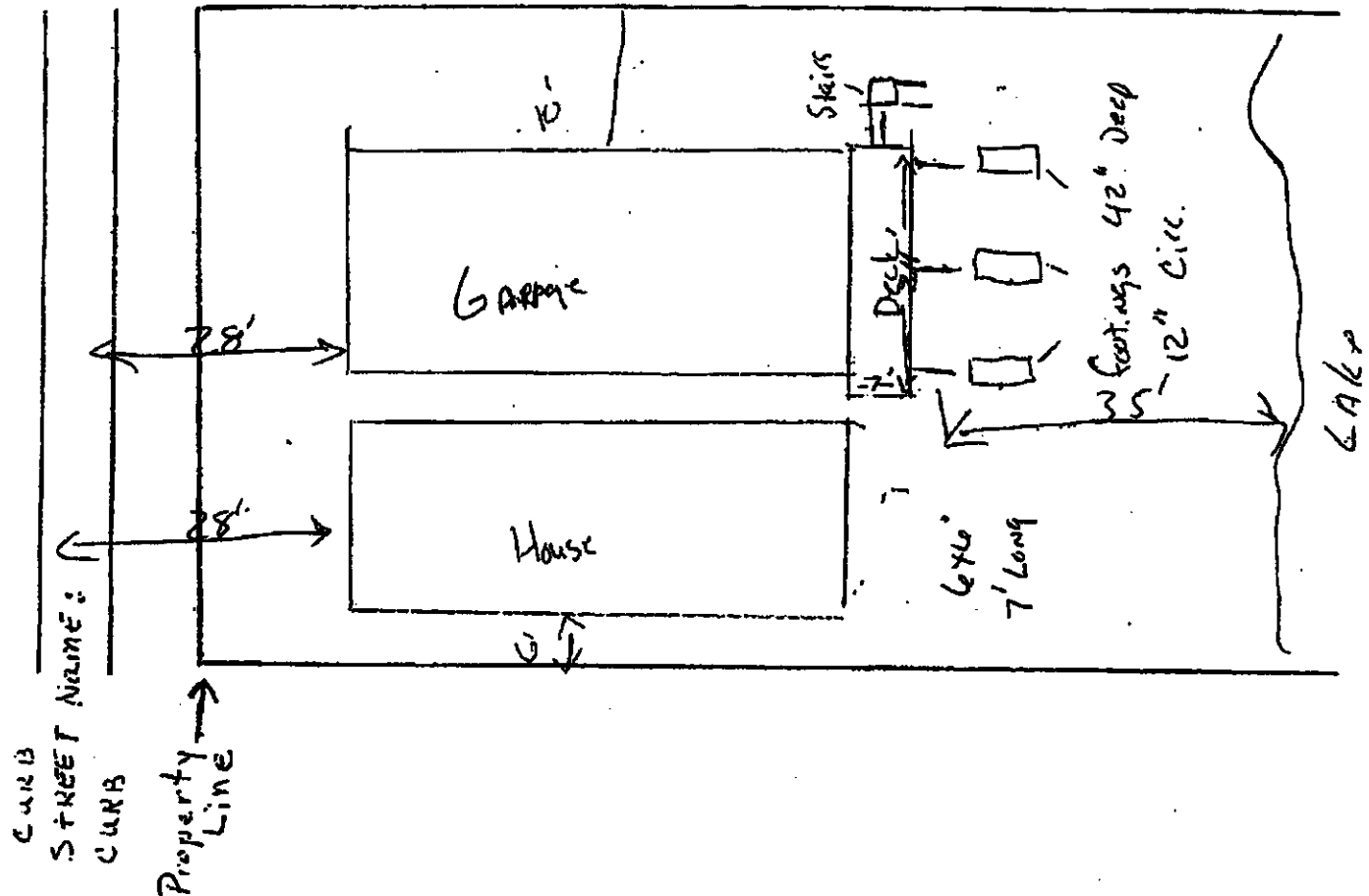
I have requested a permit for deck on my garage from South Bend. Pat ask me to contact board and get ok so they can issue permit next Tues at Board meeting. I built Garage and had Cass County come to inspect. Mike stated everything is perfect except I had permit for Garage but not for Deck. Please give me a call or email me Jack Frans lot 110 cell 402-660-4150. Thanks Rick.

PO BOX 267
Elmwood, NE 68349-0267
Ph: 402-994-4000
Fax 402-994-5455

This information may be confidential and legally privileged. If you receive it in error, delete the email and notify the sender.

PLOT PLAN: SHOW ALL DIMENSIONS OF LOT, MEASURED DISTANCES FROM STRUCTURE TO ALL LOT LINES, LOCATION OF ALL BUILDINGS ON PROPERTY, PROPOSED BUILDINGS, SEPTIC TANK, AND WELL (if any)

ADDRESS: _____



REVIEW QUESTIONS:

Does the structure meet the village building codes ? Yes
 Are variances attached if required ? _____
 Are plot plans attached ? _____

REVIEW QUESTION FOR FLOODPLAIN MANAGEMENT:

Is the structure located in the floodplain ? _____
 Is the structure located in the floodway ? _____
 Is the structure a substantial improvement ? _____
 Is the alteration or addition 50% of market value ? AK
 Is the development requiring a FLOODPLAIN PERMIT ? AK
 Are FLOODPLAIN DEVELOPMENT PERMITS ATTACHED & IN ORDER ? AK

BASE FLOOD ELEVATION _____

FLOODPLAIN PERMIT _____

VARIANCE REQUIRED _____

"NO RISE" CERT. REQUIRED _____
ELEVATION CERT. REQUIRED _____

Inspections are required as follows: Footing inspection is required prior to covering.
Framing inspection is required after all rough in mechanical and plumbing are in place.
Final inspection is required upon completion of the structure.

Inspections will be made Monday through Friday except legal county holidays between the hours of 8:30 a.m. and 3:30 p.m.

For inspections please call the County Zoning Office on or before the date of the required inspection:

Cass County Zoning Office, Plattsmouth, Nebraska 68048
Phone: 402-234-9359

Certification: I hereby certify that to the best of my knowledge, the information given herein and on the attached drawings, and the attached survey, is accurate to the best of my ability. It is understood and agreed that any error, misstatement or misrepresentation of fact, either with or without intention on my part, such as might, if known cause refusal of this application, or any alteration or change without the approval of the Enforcement Officer, shall constitute sufficient grounds for revocation of such permit. All construction and materials will meet the requirements of the Uniform Building, the Uniform Mechanical and the Uniform Plumbing Codes, 1988 Edition and the National Electrical Code, 1993 Edition. I understand all fees shall be paid prior to the start of any construction.

APPROVAL: The application, as stated above and on the plans hereto attached, is hereby approved based on all information provided. The approval given is subject to all Federal, State, and Local laws, and to any filed restrictions.

SIGNATURE OF APPLICANT: , Date: 1/31/17

VILLAGE BOARD CHAIRMAN: , Date: 2-01-17

FLOODPLAIN MANAGEMENT PERMIT APPLICATION

Application # _____

Permit is used for any man-made change to improved or unimproved real estate, including but not limited to: structures or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of materials.

Developer must obtain all other necessary federal, state, or local permits (e.g. Corps of Engineers 404 Permit, E.D. District, etc.)

Name of Applicant: _____

Address: _____

Type and Use of Development: _____

Specific Location of Development: _____

Complete this section if the proposed development involves the improvement of a structure (i.e. watered and roofed building, manufactured home, or gas and liquid storage tanks)

Pre-improvement Value of Structure: \$ _____

Cost of Improvement: \$ _____

The Following Section is to be Completed by the Community Official:

Is the development Substantial Improvement? (see #4)

YES NO

Is the development in an identified floodplain?

(Circle)
YES NO

If YES, complete the following:

a. Elevation of the Base (100-Year) Flood

_____ ft. BASE FLOOD ELEVATION
OR
FLOOD ELEVATION

b. Elevation/Floodproofing Requirement (if applicable)

_____ ft. BASE FLOOD ELEVATION
OR
FLOOD ELEVATION

☐ c. The developer may be required to submit hydraulic data demonstrating that the proposed development will not increase flood heights more than one foot at any location.

If the development is in a floodplain, the following shall apply:

If a permit is issued with the condition that the lowest floor (including basement floor) of any new or substantially improved residential building will be elevated at least one foot above the base flood elevation. If the proposed development is a nonresidential building, this permit is issued with the condition that the lowest floor (including basement) of a new or substantially improved nonresidential building will be elevated or floodproofed at least one foot above the base flood elevation. The Developer/Owner will provide certification by a registered Engineer, Architect, Land Surveyor of the "as-built" lowest floor elevation (including basement) or floodproofed elevation of any new or substantially improved building covered by this permit.

Developer of the _____ Floodplain Management Resolution/Ordinance (Number _____) shall be completed with
(County or City)

